

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DRUMMOND AMERICAN LLC,

Civil No. 08-5077 (JRT/RLE)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

SHARE CORPORATION AND
MICHAEL C. ROSS,

Defendants.

Darren Mungerson, **LITTLER MENDELSON, PC**, 200 North LaSalle Street, Suite 2900, Chicago, IL 60601, Jodie Weinstein, Kerry Middleton, and Joseph Weiner, **LITTLER MENDELSON, PC**, 80 South Eighth Street, Suite 1300, Minneapolis, MN 55402; Ryan Griffitts, **LITTLER MENDELSON, PC**, 2001 Ross Avenue, Suite 1500, Dallas, TX 75201, for plaintiff.

Brian Turner, **LAW OFFICE OF BRIAN TURNER**, 2100 East Martin Luther King Jr. Blvd, Austin, Texas 78702, Tracey Holmes Donesky, **LEONARD STREET AND DEINARD, PA**, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, for defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, dated July 23, 2010 [Docket No. 73]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that the Plaintiff's Motion for Partial Summary Judgment [Docket No. 51] is **DENIED**.

Dated: August 10, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge